ipso. independent press standards organisation

Journalism: Children's rights

How we can help and about this guidance

We are the Independent Press Standards Organisation (IPSO), the independent regulator of most of the UK's newspapers and magazines. We enforce the Editors' Code of Practice, which sets out the rules that the newspapers and magazines which we regulate have agreed to follow.

We protect individual rights, uphold high standards of journalism and help to maintain freedom of expression for the press.

Website: www.ipso.co.uk
Email: inquiries@ipso.co.uk

If you need advice about the Editors' Code of Practice (the Code) or are concerned about a story or a journalist's behaviour, you can contact us on 0300 123 2220. In an emergency after hours or at the weekend, you can also contact us using our emergency 24-hour advice service on 07799 903929.

Our staff are also able to help you to deal with urgent harassment issues. They will talk about your concerns and can give practical advice and guidance. In some cases we can send out a notice which will allow you to pass on a specific request to the industry (for example, to stop phoning you) or concerns about the future publication of material which might break the Code.

If you want to make a complaint, you will need to do this in writing, either on our website (www.ipso.co.uk/make-a-complaint) or by emailing inquiries@ipso.co.uk.

If you are under 18, we might need the agreement of your parent or guardian before we are able to deal with a complaint.

This information is for parents and individuals who are concerned about an article which features a child, or about the impact of a journalist's behaviour on the wellbeing of a child.

It contains information about the rules protecting children and their welfare, as well as how we can help if you are concerned about an article or a journalist's behaviour.

The main points

- There are some specific clauses in the Code which offer special protection to children.
- It is important that journalists are able to report about children and the issues they are facing, as long as children's rights are protected.
- Journalists should not generally publish any information which might cause unnecessary intrusion into a child's time at school.
- Journalists should get the agreement of a child's parent or legal guardian before photographing the child or asking the child questions about anything to do with their or another child's welfare.
- When a journalist wants to use the public interest to justify publishing information about a child in an exception to the Code, this public interest has to be greater than if the article was about an adult.

What are the special protections for children?

Because children are more vulnerable than adults, and quite often are not able to make decisions for themselves, the Code protects them more than adults. The Code makes it clear that children's interests can only be overridden if there is an exceptional reason to do so.

In the Code, there are some specific clauses which protect children and their welfare. Each clause specifies the age a child must be to receive this special protection. These are explained in the table below.

Age	Protection received
Under 16	• Without the agreement of a parent or guardian, children should not be interviewed about their own or another child's welfare and should not be photographed. • Children (and their parents or guardians) should not be paid for information about their welfare, unless it is in their interests. • Children who are victims of sexual assault should not be named (even if the law says they can be).
Under 18	• Particular attention should be paid to the position of children who could be particularly vulnerable because they witness, or are victims of, crime. • Editors should avoid naming children who are arrested, unless their identity is already in the public domain.
While at school	• All pupils should be free to complete their time at school without unnecessary intrusion by journalists or the press.

Sometimes, there are exceptions to clauses of the Code, if a journalist is able to show that there is a public interest. If a journalist wants to use a public interest exception and the issue is about a child, they must show an even greater public interest than for an adult.

Before making a complaint, you should read the Code. If you need any advice, you can visit our website, or call us on 0300 123 2220.

How does the Code protect children's privacy?

The Code says that everyone is entitled to respect for their private and family life. This includes children. When journalists publish information about anyone's private life, they must be able to show that there is a public interest in doing this.

The public interest does not mean 'something which the public is interested in'. The public interest includes things that contribute to debates that affect how we act as people in society. Examples of things that could be considered as being in the public interest include:

- protecting public health and safety
- showing a person's or organisation's failure to meet any rules or duties they must meet, and
- exposing crime.

When a journalist publishes any information which might affect a child's privacy, the Code says that they must show that the public interest was stronger than if it was information about an adult. The Code says that 'an exceptional public interest would need to be demonstrated to over-ride the normally paramount interests of children under 16'.

For example, in the case of A Woman v mirror.co.uk in 2017, a mother complained to us about a video of her daughter attacking another child being included in an article about bullying. Our Complaints Committee did not uphold the complaint. It ruled that the video footage showed an antisocial and possibly criminal act. There was a significant public interest in discussing antisocial behaviour among young people and the video demonstrated the severity of that behaviour. However, even in this case it was important to the Committee's decision that the children's faces were obscured, so they could not be identified.

What does the Code mean by 'welfare'?

A child's welfare is a general term that covers all aspects of the child's private life and wellbeing. This could include, for example, anything relating to the child's health, personal life or safety, or anything that could lead to significant intrusion into the child's life. For example, a story about a child misbehaving or acting antisocially could create intrusion by exposing a child to criticism. Journalists would have to show there was a public interest in publishing information identifying a child in those circumstances.

But it is important to note that this relates only to information about a child. Reporting information about someone else – for example, a parent's criminal conviction – may affect a child's private life, but the terms of the Code do not apply in these situations.

Can journalists publish photos of children in newspapers or magazines?

Generally journalists can publish photographs of children, apart from some circumstances explained below. It is normal for photos of children to appear in newspapers or magazines, either when they are the subject of a story, are related to a story, or are incidental to a story. Photos often illustrate events more quickly and easily than a long page of text can. Photos also draw the reader's attention to a particular story.

However, unless there is a public interest, journalists must make sure that they do not publish any photo which might:

- intrude into a child's time at school
- include information about the child's (or another child's) welfare without the agreement of a parent, or
- intrude into the child's privacy.

Photos which do not show anything about a child's welfare might include things such as a photo of a group of children playing in a park. This would not affect their private life or wellbeing.

Journalists might also use photos of children taken from social media, but the same rules apply. You should read the section about social media if you are concerned about this.

Can journalists interview a child without the parent's agreement?

If a journalist is not interviewing a child about their or another child's welfare, they do not need to get agreement from a parent. For example, a journalist might ask a child about their favourite ice cream.

In the case of Lightfoot v Leicester Mercury in 2016, a girl commented on an online petition about her school's uniform policy. The Leicester Mercury's story included some pupils' comments from the petition and the online article included the names of those who wrote the comments. A man complained to us that the newspaper had identified his stepdaughter and he was concerned that her comments had been published without his agreement. Our Complaints Committee did not uphold the complaint. As the girl's comments were not about her wellbeing or the wellbeing of another child, and she had not experienced unnecessary intrusion into her time at school, the Code was not broken.

However, a journalist must always get agreement from an adult with parental responsibility before interviewing or taking photos of a child about anything relating to their or another child's welfare.

This should be a parent or guardian who has the right to make day-to-day decisions about the child, and has care responsibilities for the child.

The Code says that the person giving the information should not be paid, unless they can show that it is in the child's best interests. This includes payments to parents, or to the children themselves.

Can journalists publish information from social media about a child?

It is very common for children to use social media and to put information about themselves online. This includes photos, videos and comments. Before information is taken from social media and published in a newspaper or magazine, journalists must think about how this information might affect a child's privacy or welfare. Information from a private social media account cannot be published without agreement.

If you are concerned about how a journalist has used any information from social media, you should read our guidance about this.

Are there any special protections for children involved in criminal trials?

In cases where a child attends court as a witness, journalists must always consider the child's vulnerable position before publishing any information about this.

The Code says that journalists should not name children who have been arrested and who will appear in youth court. The law also bans the media from identifying children involved in youth court proceedings. However, journalists are allowed to name a child who has attended crown court, or if their name is already in the public domain, or if the court has given permission to name them.

All victims of sexual offences, including children, are automatically guaranteed anonymity for life from the moment they make an allegation that they are the victim of a sexual offence. Journalists must not identify children under 16 who are victims or witnesses in cases involving sex offences. They must also not publish anything which suggests a relationship between the accused and the victim.

If you are concerned about how a journalist has reported anything from court, including the reporting of sexual offences, you should read our separate guidance on these topics.

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